



## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David Deas

Title: PASSIVE OPTICAL NETWORK AND ULTRAWIDE BAND ADAPTER

App. No.: 10/810,488 Filed: 3/26/2004

Examiner: (Not yet assigned) Group Art Unit: 3662

Atty. Dkt. No.: 1033-LB1028

MS MISSING PARTS  
 Commissioner for Patents  
 PO Box 1450  
 Alexandria, VA 22313-1450

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

In response to the Notice to File Missing Parts of Application mailed 6/08/2004, please find enclosed herewith:

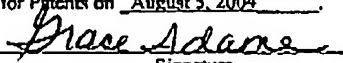
- a Transmittal Form (this page);
- a copy of the Notice to File Missing Parts of Application;
- a Fee Transmittal Form;
- a combined Declaration and Power of Attorney, executed.

Respectfully submitted,

Date

8.5.04

John R. Schell, Reg. No. 50,776  
 Attorney for Applicant(s)  
 TOLER, LARSON & ABEL, L.L.P.  
 P.O. Box 29567  
 Austin, Texas 78755-9567  
 (512) 327-5515 (phone)  
 (512) 327-5452 (fax)

CERTIFICATE OF TRANSMISSION/MAILING	
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on <u>August 5, 2004</u>.</p>	
Grace Adams Typed or Printed Name	 Signature



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 37(c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,488	03/26/2004	David Deas	1033-LB1028

34456  
TOLER & LARSON & ABEL L.L.P.  
5000 PLAZA ON THE LAKE STE 265  
AUSTIN, TX 78746

CONFIRMATION NO. 8121  
FORMALITIES LETTER  
  
 \*OC000000012896750\*

Date Mailed: 08/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$312 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1212 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

01 FC:1001	770.00	DA
02 FC:1201	231.00	DA
03 FC:1202	54.00	DA
04 FC:1051	130.00	DA

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- Total additional claim fee(s) for this application is \$312
  - \$258 for 3 independent claims over 3.
  - \$54 for 3 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

*A*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## FACSIMILE COVER SHEET



**DATE:** August 5, 2004  
**TO:** M/S MISSING PARTS FAX NO.: 703-746-4060  
**USPTO**

**FROM:** John R. Schell  
 Reg. No. 50,776

**RE: RESPONSE TO NOTICE TO FILE MISSING PARTS**

U.S. APP NO.:	10/810,488
FILING DATE.:	03/26/2004
APPLICANT(S):	David Deas
ATTY DKT NO.:	1033-LB1028
TITLE:	PASSIVE OPTICAL NETWORK AND ULTRAWIDE BAND ADAPTER
NO. OF PAGES (INCL. COVER SHEET):	9

### MESSAGE:

Attached please find:

- Response to Notice to File Missing Parts Transmittal Form (1 pgs.)
- Fee Transmittal Form (1 pg.)
- Combined Declaration and Power of Attorney, executed (4 pgs.)
- Copy of the Notice to File Missing Parts of Application (2 pgs.)

5000 Plaza On The Lake  
 Suite 265  
 AUSTIN, TEXAS 78746

Tel: (512) 327-5515  
 Fax: (512) 327-5452  
[www.tla-law.com](http://www.tla-law.com)

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